UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO		
UNITED STATES OF AMERICA,	:	CASE NO. 5:04-cr-00166-1
Plaintiff,	:	
vs.	:	JUDGMENT
MARK D. BACKHAUS,	:	
Defendant.	:	
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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On February 14, 2008, the Court entered judgment granting in part the Petitioner's § 2255 action to allow him to undertake a delayed appeal. [Case 5:05-cv-02140, Docs. 23, 24]. Therefore, the Court will **VACATE** judgment in the above captioned case and **RE-ENTER** judgment, to allow the Defendant to undertake a delayed appeal. *See Adkins v. United States*, 131 Fed. Appx. 456, 457 (6th Cir. 2005).

IT IS SO ORDERED.

Dated: February 25, 2008

S/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE